

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JAN 4 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

YONAS FIKRE,

Plaintiff-Appellant,

v.

FEDERAL BUREAU OF  
INVESTIGATION; MERRICK B.  
GARLAND, Attorney General; ANTONY J.  
BLINKEN; CHRISTOPHER A. WRAY;  
CHARLES H. KABLE IV, Director,  
Director of the Terrorist Screening Center;  
PAUL NAKASONE, Director of the  
National Security Agency; AVRIL D.  
HAINES, Director of National Intelligence;  
ALEJANDRO N. MAYORKAS, Secretary  
of the Department of Homeland Security;  
DAVID PEKOSKE, Administrator of the  
Transportation Security Administration,

Defendants-Appellees.

No. 20-35904

D.C. No. 3:13-cv-00899-MO  
District of Oregon,  
Portland

ORDER

Before: BERZON and RAWLINSON, Circuit Judges, and ANTOON,\* District Judge.

Judge Rawlinson has voted to deny the petition for rehearing en banc. Judge Berzon and Judge Antoon recommend denial of the petition for rehearing en banc.

The full court has been advised of the petition for rehearing en banc, and no

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\* The Honorable John Antoon II, United States District Judge for the Middle District of Florida, sitting by designation.

judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P.

35.

The petition for rehearing en banc is denied.